

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

LACY J. DALTON, et al.,

Plaintiffs,

v.

CITIMORTGAGE, INC., et al.,

Defendants.

3:09-cv-0534-LDG-VPC

**ORDER**

Given the MDL court's order retaining claims related to the MERS system and remanding only the substantive claim for unjust enrichment to the extent that it is based on loan origination issues along with the associated claims for injunctive and declaratory judgment remedies (#303),

THE COURT HEREBY ORDERS that the following motions are DENIED without prejudice as moot:

Plaintiff's first motion for temporary restraining order and motion for preliminary injunction (#6);

Defendant Aztec Foreclosure Corporation's motions to dismiss for failure to state a claim for relief or, in the alternative, for more definite statement (#41 and #137);

The Federal Housing Finance Agency as Conservator for Fannie Mae and Freddie Mac motion to intervene (#43);

Defendant T.D. Service Corporation's motion to quash service of summons and complaint and motion to dismiss class action complaint (#131);

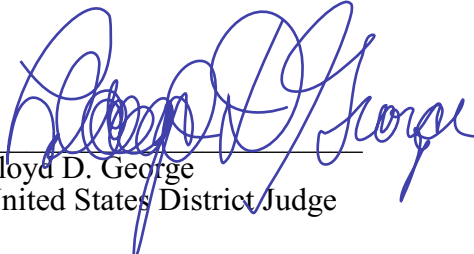
1 Defendants Merscorp, Inc., and Mortgage Electronic Registration Systems, Inc.'s motion  
2 to dismiss plaintiff's first amended complaint (#174);  
3 Defendants Federal Home Loan Mortgage Corporation, Federal National Mortgage  
4 Association, and other Merscorp shareholder defendants' motion to dismiss (#177);  
5 Defendant Saxon Mortgage Corporation's motion to dismiss class action complaint (#180);  
6 Defendant Aurora Loan Services, LLC's motion to dismiss class action complaint (#181);  
7 Defendant National City Mortgage, National City Corporation, and PNC Financial  
8 Services' motion to dismiss (#182);  
9 Defendants California Reconveyance Company, J.P. Morgan Chase Bank, and EMC  
10 Corporation's joint motion to dismiss (#184);  
11 The Federal Housing Finance Agency as conservator for Fannie Mae and Freddie Mac's  
12 motion for leave to file motion to dismiss (#185);  
13 Defendant American Home Mortgage Servicing, Inc.'s motion to dismiss class action  
14 complaint (#186);  
15 Defendant Deutsche Bank National Trust Company's motion to dismiss class action  
16 complaint (#187);  
17 Defendant Citimortgage Inc.'s motion to dismiss complaint (#188);  
18 Defendants Executive Trustee Services, Inc., GMAC Mortgage, LLC, Homecomings  
19 Financial LLC's motion to dismiss (#189);  
20 Defendant GE Money Bank's motion to dismiss class action complaint (#190);  
21 Defendants Bank of America, NA, Countrywide Home Loans, Inc., First Franklin Loan  
22 Services, First Horizon Home Loan Corporation, Reconstruct Company, The Bank of New  
23 York Mellon, Bank of America, and Wells Fargo Bank, N.A.'s joint motion to dismiss  
24 (#192);  
25 Defendant Suntrust Mortgage, Inc.'s motion to dismiss (#193);  
26 Defendant HSBC Mortgage Corporation, USA's motion to dismiss (#194);  
Defendant Met Life Group, Inc.'s motion to dismiss (#199);  
Defendant Midland Mortgage Co.'s motion to dismiss (#200);  
Defendant Central Mortgage Company's motion to dismiss, or in the alternative, for  
summary judgment (#208);  
Plaintiffs' second motion for temporary restraining order (#257);

1 Defendant National Default Servicing Corporation's motion to dismiss, or in the  
2 alternative, for summary judgment (#288); and

3 Defendant Quality Loan Service Corporation's motion to dismiss (#294).

4 THE COURT FURTHER ORDERS that within ninety (90) days of the filing of this order  
5 the parties may refile the above motions only as they pertain to the issues remanded by the MDL  
6 court's order.

7 Dated this 29 day of September, 2010.

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10 Lloyd D. George  
11 United States District Judge  
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